

READING CLERK: The Fourth Report of the Committee on Rules, Credentials and Convention Budget, amended. The Committee on Rules, Credentials and Convention Budget has considered the problem of how to fill vacancies occurring in the Convention due to the death or resignation of a delegate.

THE PRESIDENT: The Chair recognizes Delegate Scanlan.

DELEGATE SCANLAN: I move that further reading of the Fourth Report of the Committee on Rules, Credentials, and Convention Budget be dispensed with and that the report be considered as having been read by the Clerk.

THE PRESIDENT: Is there a second?

*(The motion was duly seconded.)*

THE PRESIDENT: The motion is that so much reading be considered the reading of the entire report. Is there any discussion?

*(There was no response.)*

All those in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

The Chair recognizes Delegate Scanlan, Chairman of the Committee. Please come forward to the Clerk's desk. While Delegate Scanlan is coming forward, I want to call your attention to the fact that you should have before you the original Fourth Report of this Committee, which was introduced on September 22, the proposed substitute to Rule 71 [77]\* which was not formally offered, but which was circulated on September 26, and the amended Fourth Report, which was circulated this morning.

Delegate Scanlan.

DELEGATE SCANLAN: Mr. President, fellow delegates, I have the Honor to present the amended Fourth Report of the Committee on Rules, Credentials and Convention Budget. The committee favorably recommends the adoption of a new Rule 71 [77] consisting of four subparagraphs, 71A, B, C, and D, as set forth in the first two pages of the committee report, and dealing with the filling of vacancies should they occur in this Convention.

Early in its deliberations the Committee appointed a subcommittee, consisting of Mr. Grant as chairman, Mrs. Bryson, and

Mr. Mason, to consider this problem. The problem, of course, became more acute when it became apparent that there was a good possibility that the Honorable Herbert O'Connor from the Third District of Baltimore would have to resign from the Convention, in view of his pressing responsibilities as an alternate to the United Nations. We received word yesterday, through the announcement of the President, that Mr. O'Connor was going to resign, and therefore the question is no longer a possibility. It is a reality.

Let me just briefly say this. We did circulate our First Report, I believe, on Tuesday of this week. On that day there was also circulated proposed amendments to substitutions for our proposed rule in the resolution sponsored by Delegates E. J. Clarke, James Clark and William James. Following that we received permission of the Convention to have our report recommittees, to consider the alternative urged upon the Convention by those three gentlemen, and we held a hearing on this on Tuesday afternoon, at which time Senator Clark, the First Vice-President of the Convention, appeared before our committee to present his views.

Briefly, in 71A [77] let me say at the outset, there is a glaring typographical omission which we shall rectify upon proper amendment, after I have finished presenting the report. The first line, in the interest of clarity, should read, "upon the announcement to the Convention," and these are the words deleted which should be in, "of the death or resignation of a delegate to the Convention," and then the section remains the same. In that section we provide for a selection committee to nominate by majority vote of that committee no more than three names of persons who would be qualified under the Enabling Act to fill the vacancy, and to present to the Convention a concise written statement of the abilities and experience of each of the persons. This is a change from our previous suggestion as originally drafted. I believe we suggested that not more than five nor less than two be presented. One of the substantive changes in the Clark resolution was that it would be sufficient to have one name presented, and under 71A [77] as proposed a selection committee could submit to the Convention only one name, if it preferred. Now, I understand, according to the public press, that representatives of Baltimore have already agreed on one person whom they believe qualified to fill the shoes of Mr. O'Connor. We believe the rule is recognition of the fact that perhaps in the usual case

\*The number in brackets is the final number assigned to the rule in the Rules of the Constitutional Convention of Maryland.